



ECONOMIC & COMMUNITY DEVELOPMENT

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STAFF REPORT FOR HEARING EXAMINER MEETING OF AUGUST 27, 2014

FILE NO: GARRISON CREEK DIV. 2 SUBDIVISION
SU-2014-2 KIVA #RPP3-2141006

APPLICANT: Harty Investment Group
P.O. Box 864
Kirkland, WA 98003

PROJECT CONTACT: Luay Joudeh
D.R. Strong
206-229-8140

REQUEST: A request to subdivide a 3.3 acre site into 20
single family lots.

STAFF
REPRESENTATIVE: Sharon Clamp

STAFF
RECOMMENDATION: APPROVAL WITH CONDITIONS

I. GENERAL INFORMATION

A. Description of the Proposal

The applicant proposes to subdivide two parcels totaling 3.3 acres into 20 single family residential lots and a recreation tract. The property is currently developed with two single family residences, outbuildings and a driveway all of which will be removed. The project is proposing to resize an existing combined detention/water quality pond in the existing Ridge at Garrison Creek development (immediately north) to accommodate stormwater runoff for the proposed development. The

proposed development will take access from 100th Avenue Southeast and connect to the existing 98th Place South in the Ridge at Garrison Creek development via a new public road. The South Fork of Garrison Creek and steep slopes are located offsite to the west. A portion of the steep slope buffer extends onto the western edge of the property, and will be protected. The creek and creek buffer are located outside the project area.

B. Location

The subject properties are located at 22845 and 22907 100th Avenue Southeast and identified by King County Parcel Numbers 1822059176 and 1822059190.



C. Size of Property

The subject property is 3.3 acres in size.

D. Zoning

The site is zoned SR-6, Single Family Residential, which allows 6.05 dwelling units per acre. Adjacent properties surrounding the site are also zoned SR-6.

E. Land Use

The City of Kent Comprehensive Land Use Map designates the site as SF-6 Single Family Residential, six units per acre. Adjacent properties surrounding the site are also designated SF-6. Existing development surrounding the site consists of single family homes.

F. History

The subject property was annexed to the City of Kent in 1987 as part of the East Hill Well 1 annexation (Ordinance No. 2703).

This preliminary plat application (SU-2014-2, KIVA #2141006) was received by the City of Kent on April 3, 2014. This review of the Garrison Creek Div. 2 Subdivision is based on the revised preliminary plat map received on May 5, 2014.

II. ENVIRONMENTAL CONSIDERATIONS

A. Environmental Assessment

A Determination of Nonsignificance (#ENV-2014-13) for this subdivision was issued on July 25, 2014. A copy of this DNS is part of the record for this plat application. As of the date of this staff report, no appeals to the decision have been filed.

B. Significant Physical Features

Topography, Wetlands and Vegetation

The site is described as rolling, with a slope range between 5 to 15%. Generally the land slopes from the east to west, with the steepest portion in an isolated area in the southwestern portion of the property. There are steep slopes off-site to the west and a portion of the steep slope buffer extends onto the property. The steep slope will be protected per Kent City Code 11.06, including recording a sensitive area tract.

South Fork Garrison Creek (a Class 3 stream) is approximately 130 feet west of the subject site. Site improvements will be outside the stream buffer.

The vegetation on site consists of deciduous and evergreen trees, grass, blackberry, and holly. Pursuant to Kent City Code Section 15.08.240, tree retention is required and will be accommodated by retaining 31 percent of the total diameter inches of significant trees

within the site interior. Trees within the landscape tract along 100th Avenue SE will also be retained.

C. Significant Social Features

1. Street System

The proposed development will take its primary access from 100th Avenue Southeast via a new public road, which will connect to the public road in the developed plat immediately north of the project site. The development will add an estimated 180 daily and 18 PM peak hour trips to the public street system, based on the Institute for Transportation Engineers Trip Generation Manuals for Land Use. Per City of Kent Ordinance No. 3992, this project will pay Traffic Impact Fees to mitigate for the increased trips. The proposed project will also be constructing road frontage improvements along 100th Avenue Southeast in accordance with the requirements in the Kent Design and Construction Standards.

2. Water System

All homes within the proposed plat will be connected to the public water system provided by the City of Kent.

3. Sanitary Sewer System

All homes within the proposed plat will be connected to the public sanitary sewer system provided the City of Kent.

4. Stormwater System

Stormwater runoff from rooftops, driveways and roads within the subdivision will be conveyed to an off-site treatment and detention facility. The development located immediately north of this property (Ridge at Garrison Creek plat) contains an existing detention facility that will be enlarged to accommodate the additional stormwater volume. Following treatment and detention, runoff will be released into South Fork Garrison Creek.

III. CONSULTED DEPARTMENTS AND AGENCIES

The following departments and agencies were advised of these applications:

Economic Development Division
Public Works Department

Parks & Community Services
City Attorney
City Clerk
Police Department
Fire Department
Century Link
Duwamish Tribal Services
Muckleshoot Tribe
King Co. Wastewater Treatment
King Co. Public Health
King Co. Environmental Health
Washington State Dept. of Ecology
Washington State Fish and Wildlife
King Co. Transit Division
Puget Sound Energy
Kent School District
Kent Postmaster

The Notice of Application was issued on April 18, 2014, published in the Kent Reporter, and posted on the site. In addition to the above, all persons owning property which lies within 300 feet of the site were notified of the public hearing.

No public comments were received.

IV. PLANNING SERVICES REVIEW

A. Comprehensive Plan

The City of Kent has adopted a revised Comprehensive Plan pursuant to the Growth Management Act (Ordinance #3698 – July 2004). The goals and policies of the Comprehensive Plan represent an expression of community intentions and aspirations concerning the future of Kent and the area within the potential annexation area. The Comprehensive Plan is used by the Mayor, City Council, Land Use and Planning Board, Hearing Examiner and City departments to guide decision-making relative to development and capital facility spending.

The City of Kent Comprehensive Plan is comprised of eleven elements which contain written goals and policies as well as a land use map. The proposed subdivision supports the following goals and policies of the Plan:

LAND USE ELEMENT

The Land Use Element of the plan contains a Land Use Plan Map, which designates the type and intensity of land uses throughout the

city, as well as in the entire potential annexation area. The Land Use Plan Map designates the subject property as SF-6, Single Family Residential which allows six units per acre. In addition to the Land Use Plan Map, the Land Use Element also contains goals and policies relating to the location, density, and design of future development in the City.

Policy LU-9.1: Where appropriate, establish urban residential densities of at least four (4) units per net developable acre in order to adequately support urban densities.

Policy LU-9.4: Locate housing opportunities with a variety of densities within close proximity to employment, shopping, transit, and where possible, near human and community services.

Goal LU-10: Provide opportunities for a variety of housing types, options, and densities throughout the City and the Potential Annexation Area to meet needs of the region's changing demographics.

Policy LU-10.4: Allow single family housing on a variety of lot sizes. Locate smaller lot sizes within close proximity of the Urban Center or Activity Centers wherever possible.

Planning Services Comment:

The proposed subdivision is supported by relevant goals and policies contained within the Land Use Element of the Comprehensive Plan. The development proposed through this subdivision request seeks to establish residential lots at a density of approximately 6 units per acre, which is sufficient to support urban services and infrastructure. The proposed location is easily served by existing urban services and is in convenient proximity to commercial areas near SE 240th Street and 104th Avenue SE. The land use plan supports the development of close-in vacant or underdeveloped properties, which limits further urban sprawl on the edges of the planning area. Also, one of the objectives of the comprehensive plan is to provide a wide variety of housing types and opportunities to accommodate projected population growth without converting single family lands to multifamily residential. A subdivision on underdeveloped, single family zoned land is consistent with this objective.

HOUSING ELEMENT

The primary goal of the housing element is to meet the current and future need for housing in the Kent area. The ability to obtain affordable housing is essential to a stable, healthy, and thriving community.

Goal H-2: Promote the organization and enhancement of neighborhoods and provide the opportunity for comfortable and well-maintained housing for all citizens.

Policy H-2.3: Provide an appropriate mix of housing styles and choices, allowing for different types of housing from neighborhood to neighborhood.

Policy H-2.5: Require developments to provide their fair share of on-site and off-site improvements needed as a result of the development.

Goal H-5: Increase housing opportunities through a diversity of housing types and the innovative use of residential and commercial land.

Policy H-5.2: Provide a sufficient amount of land zoned for current and projected residential needs including, but not limited to, assisted housing, housing for low income households, single family housing, and small lot sizes.

Policy H-5.3: Promote diversity of housing types affordable to a range of income levels and cultural/ethnic diversity.

Goal H-7: Encourage flexibility and innovative site and building design for a variety of housing developments to expand home ownership.

Planning Services Comment

The proposed subdivision is supported by relevant goals and policies contained within the Housing Element of the Comprehensive Plan. The overall density for the project as mentioned above is proposed at an acceptable level to support urban services, and supports projected population growth and the changing demographics of the City. Appropriate services, including, but not limited to, fire, police, medical services, neighborhood shopping and child care are easily accessible to neighborhood residents upon development of the subject property.

TRANSPORTATION ELEMENT:

Goal TR-1: Coordinate land use and transportation planning to meet the needs of the City consistent with the Growth Management Act.

Policy TR-1.6: Coordinate new commercial and residential development in Kent with transportation projects to assure that transportation facility and service capacity is sufficient to accommodate the new development.

Planning Services Comment:

The Growth Management Act requires consistency between land use and transportation planning. As noted, the Land Use Plan identifies the area of this proposal as SF-6 Single Family Residential. The Public Works Department has identified improvements to the local transportation network necessary to accommodate the proposed development. These improvements will be required for this subdivision.

B. Zoning Code

All lots in the proposed subdivision are subject to the Zoning Code requirements for the SR-6, Single Family Residential, zoning district. On April 5, 2007 the City Council adopted Ordinance No. 3830 which includes changes to residential development standards within the zoning code relating to permitted uses, landscaping, tree preservation, building setbacks, building design, as well as lot size and width.

The revised development standards require a 10-foot landscape tract along roads that do not provide access to the proposed lots. The applicant has provided a 10-foot landscape tract along 100th Ave SE to meet the landscaping requirement. In addition, the new standards require that 50 percent of lots provide side setbacks with a sum total of 16 feet. The remaining 50 percent may have five foot setbacks provided that life safety measures are provided. As proposed, Lots 1, 3, 5, 6, 9, 12, 16-18, and 20 provide side yard setbacks with a sum total of 16 feet. The remaining lots provide five foot side yard setbacks. The minimum lot size for new lots within the SR-6 zone is 3,000 square feet with a minimum lot width of 30 feet. All proposed lots within the subdivision meet the minimum lot size and width requirements for the SR-6 zone. The proposal meets the minimum 15 percent tree retention requirement by retaining 31 percent of the total diameter of significant trees within the site interior.

C. Standards for Granting a Subdivision

The purpose of the City of Kent Subdivision Code is to provide rules, regulations, requirements, standards and procedures for subdividing land in the City of Kent, ensuring that the highest feasible quality in subdivisions will be attained; that the public health, safety, general welfare, and aesthetics of the City of Kent shall be promoted and protected; that orderly growth, development, and the conservation, protection and proper use of land shall be promoted; that proper provisions for all public facilities, including connectivity, circulation, utilities, and services shall be made; that maximum advantage of site characteristics shall be taken into consideration; and that the process shall be in conformance with provisions set forth in the City of Kent Zoning Code and Kent Comprehensive Plan (KCC 12.04.015).

The procedures regulating subdivisions are established to ensure quality development which promotes orderly and efficient growth, the conservation and proper use of land; protects the public health, safety, general welfare, and aesthetics of the city; makes adequate provisions for public facilities in conformance with provisions set forth in KCC Title 15, Zoning, Title 6, Public Works, Title 7, Utilities, and the Kent comprehensive plan; and complies with the provisions of this chapter and Chapter 58.17 RCW (KCC 12.04.103).

As evidenced by the General Information in Section I. and the following responses to the criteria for approving subdivisions, the proposal is in general conformance with the Kent Subdivision Code.

Furthermore, Section 12.04.180 of the Kent Subdivision Code indicates that a subdivision shall not be approved unless the City finds that:

1. Appropriate provisions have been made for:
 - a. The public health, safety and general welfare of the community;

As proposed, the public health, safety, and general welfare of the community are protected and provided for by compliance with all relevant development regulations pertaining to this application for a subdivision. By implementation of all required development regulations, the applicant will provide a safe, orderly and beneficial development.
 - b. Protection of environmentally sensitive lands and habitat;

An environmental checklist was submitted and reviewed by the City which identified environmental impacts associated with this subdivision proposal. A Determination of Non-Significance was issued on July 25, 2014. The South Fork of Garrison Creek and steep slopes are located offsite to the west. A portion of the steep slope buffer extends onto the western edge of the property, and will be protected, per Kent City Code 11.06. South Fork Garrison Creek (a Class 3 stream) is approximately 130 feet west of the subject site. Site improvements will be outside the stream buffer.

c. Potable water supplies;

All homes within the proposed plat will be connected to water service provided by the City of Kent.

d. Sanitary wastes;

All homes within the proposed plat will be connected to sanitary sewer service provided by the City of Kent.

e. Other public utilities and services, as deemed necessary;

Power and natural gas lines will be installed during plat construction. Garbage service will be established by the individual residents.

f. Stormwater facilities and conveyance systems;

Stormwater runoff from rooftops, driveways and roads within the subdivision will be conveyed to an off-site treatment and detention facility. The development located immediately north of this property (Ridge at Garrison Creek plat) contains an existing detention facility that will be enlarged to accommodate the additional stormwater volume. The pond is located within a public storm drainage tract, created with the adjacent plat. According to initial storm system design calculations, the tract is large enough to accommodate the enlarged pond. Following treatment and detention, runoff will be released into South Fork Garrison Creek.

g. Open spaces;

Provisions for open space will be made through the development of a community park within the proposed subdivision as discussed in section (h) below. Additionally, a landscape tract will be created on the east side of the development abutting 100th Avenue SE.

h. Community parks and recreation;

The applicant is required to provide 450 square feet of on-site recreation space per lot pursuant to KCC 12.04.060. The required amount of recreation space for this 20-lot subdivision is 9,000 square feet. The applicant has provided a 9,008 square foot community park centrally located within the proposed subdivision (Tract D).

i. Neighborhood tot lots and play areas;

Provisions for these areas will be accomplished by the community park under section h. above. The community park will be improved with a tot lot in addition to at least one other recreation facility pursuant to KCC 12.04.060.

j. Schools and school grounds;

The subject property lies within the Kent School District. Pursuant to KCC 12.13.160, a school impact fee will be assessed in association with the subdivision of land. The impact fee will be assessed and collected for each individual lot at the time of building permit issuance and will be based upon the adopted impact fee at that time.

k. Transit stops;

Mass transit service is provided by King County METRO. The nearest bus stop is located at 104th Avenue SE and SE 228th Street, approximately 0.3 miles east of the proposed subdivision.

l. Connectivity of streets or roads, alleys, and other private and public ways for vehicular and pedestrian circulation and access in and between subdivisions and neighborhoods, where feasible;

A new public residential street will connect to 100th Ave SE and to 98th Place S in the plat to the north, creating a loop road.

- m. Connectivity of sidewalks, pedestrian pathways, traffic calming features and devices, and other features that assure safe walking conditions within and between subdivisions and neighborhoods for residents and students who walk to and from school, parks, transit stops and other neighborhood services;

Sidewalks will be constructed within the development on both sides of the new street. 100th Ave SE will be improved along the property frontage to accommodate a new sidewalk.

- n. Building lots and roadway access configured to support the construction of homes with diminished garage doors such that no less than fifty percent (50%) of the new lots will support construction of and access to a garage in the rear portion of the lot accessed via a common driveway between lots; or a side access garage; or a garage accessed via a rear alley; or a garage set back no less than 10 feet from the front façade of the home; or other design strategies which similarly diminish the prominence of the garage and are approved by the planning manager. Lots and roadways shall be configured such that at least two of these options are supported in each new development.

The subdivision has been designed to support diminished garage doors on Lots 10-20. Lots 10-15 and 17-20 are configured to support setback garages. Lot 16 is configured to support a side access garage design.

- o. In single-family residential zoning districts, landscape buffering along all frontage streets of the subdivision that do not provide the new lots with direct vehicular access;

The proposal includes a 10-foot landscape tract along 100th Avenue SE which will be landscaped pursuant to KCC Section 12.04.245.

- 2. The City has considered all other relevant facts; and determined that the proposed plat will be in conformance with all of the criteria listed above.
- 3. The public use and interest will be served by the platting of such subdivision and dedication.

4. The City has considered the physical characteristics of the proposed subdivision site and may deny a proposed plat because of flood, inundation, or wetland conditions; slope, or soil stability and/or capabilities.

D. Consistency Analysis

The proposed subdivision is consistent with the goals and policies of the City of Kent Comprehensive Plan.

1. Type of Land Use Allowed

The development of single family home sites is a principally permitted use on land zoned SR-6, Single Family Residential.

2. Level of Development Allowed

The proposed subdivision of 3.3 acres into 20 building sites is consistent with the Comprehensive Plan designation of SF-6 Single Family/6 units per acre and with the zoning designation of SR-6.

3. Adequacy of Infrastructure

The proposed subdivision will place increased demands on existing transportation, water and sanitary sewer systems in the general vicinity. The project will also result in an increase of impervious surface. When fully developed, the impact of 18 new homes (two existing homes will be demolished and replaced, for a total of 20 homes) being occupied will result in an estimated 180 new daily and 18 new PM peak hour trips to the local street system. Per City of Kent Ordinance No. 3992, the applicant will pay Traffic Impact Fees at the time of building permit issuance to mitigate for the increased trips.

Existing water and sewer infrastructure is adequate to support the proposed new homes. In addition, a stormwater system development charge will be paid by the applicant at the time of civil construction permit issuance. A water system development charge and side sewer tap charge will be paid at the time of building permit issuance.

4. Characteristics of the Proposed Subdivision

The proposed subdivision, as presented, is in general conformance with the Kent City Code with respect to the

required minimum lot area, minimum lot width and access to a public right-of-way.

E. Proposed Findings

Planning Services has reviewed these applications in relation to the Comprehensive Plan, zoning, land use, street system, and comments from other departments and finds that:

1. The applicant requests preliminary plat approval to subdivide 3.3 acres into 20 single family residential lots.
2. The Kent Comprehensive Plan Land Use Map designates this site SF-6, Single Family Residential, 6 units per acre maximum density.
3. The site is currently zoned SR-6, Single Family Residential. Under the SR-6 zoning, the site is subject to development standards which include 3,000 square foot minimum lot size and 30-foot minimum lot width.
4. Land uses in the vicinity are generally single family residential.
5. A Determination of Nonsignificance was issued for the plat on July 25, 2014 (#ENV-2014-13).
6. The site has access to 100th Ave SE and 98th Place S.
7. The subject property will receive water service from the City of Kent.
8. The subject property will receive sewer service from the City of Kent.

V. CITY STAFF RECOMMENDATIONS

Based on the merits of this request and the code criteria for granting a preliminary subdivision, staff recommends APPROVAL of the proposed Garrison Creek Div. 2 preliminary plat subject to the following conditions:

A. Prior to recording the final plat for this subdivision:

1. The owner / subdivider shall pay all known Charges in Lieu of Assessments and/or Latecomer Fees, if any, prior to scheduling the Pre-Construction Conference and/or prior to recording this subdivision, whichever comes first.

2. The owner / subdivider shall provide Public Works with a digital subdivision map prepared with a CAD program. The digital information can be formatted in either *.DWG (AutoCad) or *.DXF (Drawing Exchange File), but must be based upon State Plane coordinates: an assumed coordinate system is not permitted. The State Plane Coordinates shall be on the NAD 83/91 datum and must relate to at least two City of Kent reference points within one half mile of the subdivision. In addition, the project shall be tied into at least two City of Kent NAD 88 vertical benchmarks and two additional permanent benchmarks shall be established within the project. The locations, descriptions and elevations of these benchmarks will be reported at the time as-built drawings are submitted along with field notes sufficient to verify the required precision.
3. The owner / subdivider shall submit and receive City approval from the Department of Public Works for engineering drawings meeting the minimum requirements of the 2009 City of Kent Design and Construction Standards (KDCS), and shall then either construct or bond for the following:

- a. A public gravity sanitary sewer system to serve all lots.

This development will be served by the City of Kent and will be constructed to City of Kent standards and specifications.

The public sanitary sewer system shall be extended from the existing public sanitary sewer system and shall be sized to serve all off-site properties within the same service area; in addition, the sanitary sewer system shall be extended across the entire subdivision as needed to serve adjacent properties within the same service area, unless otherwise determined by the sanitary sewer purveyor.

The septic system serving the existing home(s) within the proposed subdivision, if any, shall be abandoned in accordance with King County Health Department Regulations.

- b. A public water system meeting domestic and fire flow requirements for all lots.

This development will be served by the City of Kent and will be constructed to the City of Kent standards and specifications.

The public water system shall be extended and shall be sized to serve all off-site properties within the same service area; in addition, the water main extension shall be extended across the entire subdivision as needed to serve adjacent properties within the same service area, unless otherwise determined by the water purveyor.

Existing wells, if any, shall be decommissioned in accordance with the requirements of the Department of Ecology.

- c. A stormwater system. The engineering plans must meet the minimum requirements of the KDCS and the 2002 City of Kent Surface Water Design Manual (KSWDM). Initial guidance is given below (See Chapter 2 of KSWDM for detailed submittal requirements):
 - (1) The engineering plans will include at a minimum: Site improvement plans which include all plans, details, notes and specifications necessary to construct road, drainage, and other related improvements. The engineering plans shall include a technical information report (TIR) which contains all the technical information and analysis to develop the site improvement plans.
 - (2) An erosion and sedimentation control (ESC) plan shall be included in the engineering plans. The ESC shall meet the requirements of the City of Kent Construction Standards, and the 2002 City of Kent Surface Water Design Manual. These plans must reflect the Detailed Grading Plan discussed below, and the Planning Services approved Detailed Tree Plan.
 - (3) The proposed development will require Full Drainage Review per the City of Kent SWDM. The retention / detention and release standard that shall be met by the subdivision is Level Two. The water quality menu that will be met by the subdivision is the Resource Stream Protection Menu.
 - (4) The site improvement plans and technical information report shall contain drainage calculations and a drawing of the retention/

detention tract at an appropriate engineering scale. The applicant is proposing to modify the existing City-owned storm pond currently serving the adjacent plat to the north. The modifications to this existing pond must provide storm water detention and water quality treatment for the proposed plat and the existing plat per current City standards outlined in these conditions.

- (5) A downstream analysis is required for this development, and it shall include an analysis for capacity, erosion potential, and water quality. Refer to the requirements of Technical Information Reports in Section 3: "Offsite Analysis", of the 2002 City of Kent Surface Water Design Manual for the specific information required for downstream analyses. The TIR for the Civil Construction Permit must include an analysis of the existing downstream pipe network on the Ridge at Garrison Creek plat. This analysis must show that the existing pipe system between the proposed development and the existing pond can handle the increased runoff from the proposed development without causing any adverse impacts to the surrounding properties. If any deficiencies are identified in the existing storm system, the applicant will be required to construct upgrades to the existing storm system to mitigate for these proposed impacts as part of this development.
- (6) Roof downspouts for each roofed structure (house, garage, carport, etc.) shall be diverted to a Roof Downspout Control meeting the requirements of Section 5.1 of the 1998 Surface Water Design Manual. These roof downspout controls and shall include overflow pipes connected to an approved stormwater flow control facility, or a dispersion system if no formal flow control facility exists or is required.
- (7) The Owner/Subdivider shall submit Landscape Plans for within and surrounding the retention/detention facility to the City for concurrent review and approval prior to, or in conjunction with, the approval of the Engineering Plans. These Landscape Plans shall meet the minimum requirements of the City of Kent Construction

Standards, and the stormwater management landscaping requirements contained within the 1998 King County Surface Water Design Manual. *Landscape Plans are required to show adjacent Street Trees so that the City arborist can assess potential adverse stress upon all types of vegetation.*

- (8) The Owner/Subdivider shall execute Declaration of Stormwater Facility Maintenance Covenants for the private portions of the drainage system. See Reference 8-F, Declaration of Stormwater Facility Maintenance Covenant, of the 2002 City of Kent Surface Water Design Manual for information on what is contained within this document.
- d. A Detailed Grading Plan for the entire subdivision meeting the requirements of the 2009 City of Kent Design and Construction Standards. The Owner / Subdivider shall submit a Geotechnical Report which analyzes the proposed on-site development including confirming the 50' steep slope buffer and corresponding 15' building setback is adequate to protect the future development. The report shall also address the reconstruction of the offsite detention facility. Geotechnical recommendations shall be incorporated into the grading plans.
- e. The Owner/Subdivider shall submit and receive approval for a Detailed Tree Plan, meeting the requirements of the Kent Zoning Code, prior to the issuance of any Construction Permits for the short subdivision. Grading Plans cannot be approved without an approved Detailed Tree Plan. Detailed Tree Plans are not to be confused with required Street Tree Plans, which have an entirely different purpose.
- f. Street Improvement Plans for 100th Avenue Southeast. These Street Improvement Plans shall meet the requirements of the KDCS, including Standard Plan # 6-6, *Residential Collector*, for a street designated as a Residential Collector Street with 3 lanes. Initial guidance for the necessary street improvements is given below:
 - (1) Improvements to 100th Avenue Southeast shall be designed such that pavement widening is constructed to the dimensions shown on Standard

Plan 6-6, including a shared bike lane, and as approved by City Staff. Per detail #6-6 the improvements on the west side shall also include combined vertical concrete curbs & gutters, a planter strip and a cement concrete sidewalk. An overlay to an approved limit will be required along the extent of the frontage improvements.

- (2) The applicant will be required to dedicate 5 feet of additional ROW width along the property frontage to 100th Avenue Southeast to match the ROW dedication from the existing adjacent plat to the north.
 - (3) A City-owned street lighting system. Design of the City-Owned street light system shall be provided by the applicant. The existing street lights may be used in the project design if feasible and if current City standards are met.
 - (4) All overhead electrical and/or communication utilities shall be placed underground along 100th Avenue Southeast per the requirements of the City of Kent Code Chapter 7.10 if the criteria for undergrounding in Chapter 7.10.030 are met.
 - (5) Public stormwater conveyance, detention and treatment facilities as applicable.
 - (6) The proposed intersection of the new proposed Road A and 100th Avenue Southeast will require an approved intersection design that must demonstrate adequate entering sight distance in both directions.
 - (7) Street Trees and grass or landscaping shall be installed within the planting strips or tree wells. The Street Trees will be located per City of Kent Standards, and the species shall be selected from the City's Approved Street Tree List.
- g. Street Improvement Plans for the new public Residential Street, Road A, connecting to 100th Avenue Southeast, shall be designed as a residential street per the CKDCS. Initial guidance for the necessary street improvements is given below:

- (1) Road A shall be designed as a public residential street per standard detail #6-11 (Residential Local Street Parking One Side). This is a new road that shall be constructed to the full, above-mentioned detail. This new public road shall connect to 100th Avenue on the east site edge and 98th Place near the northwest site corner.
 - (2) A street lighting system shall be designed to the City's standards, constructed and maintained by the Intolight Division of Puget Sound Energy; all electrical and maintenance bills shall be paid for by an equally divided interest of all property owners on this plat. This interest may be in the form of a Home Owner's Association created by the subdivision.
 - (3) A public stormwater drainage system, including provisions for collection, conveyance, detention and treatment facilities.
 - (4) Street trees and grass shall be installed within the 5-foot wide planting strips constructed between the back of curb and the front of the cement concrete sidewalk. The street trees will be located per City of Kent standards and the species shall be selected from the City's approved street tree list in Appendix A of the CKDCS.
 - (5) The proposed intersection of the new proposed subdivision street and 100th Avenue South will require an approved intersection design that must demonstrate adequate entering sight distance in both directions.
- h. Street Improvement Plans for the new Private Residential Street connected to Road A and labeled as Tract B on the plan. The Street Improvement Plans for this street shall be designed in conformance to the requirements for a Private Residential Street as required by City of Kent Design and Construction Standards. Initial guidance for these street improvements is given below:
- (1) A minimum of 26-feet of Hot Mix Asphalt (HMA) pavement, measured from face of vertical curb to face of vertical curb. The private street can slope to one side, if desired, but shall not be inverted

crown. The private street shall be designed within a tract at least 28 feet in width. The private street shall connect to the public Road A with a Private Street Approach.

- (2) An approved turnaround at its northerly terminus, unless these additional street improvements are not required by the City Fire Marshal.
 - (3) A private stormwater drainage system, including provisions for conveyance, detention, and treatment facilities where applicable.
 - (4) Fire Lanes - if any - shall be marked as directed by the Fire Marshal.
4. The Owner / Subdivider shall create a Homeowner's Association for this subdivision to ensure that the property owners within this subdivision are advised of their obligation to maintain the community park, landscaping in the planter strip and landscaping tract, restrict parking and pay for the energy and maintenance required for the street lighting system installed in their development.
5. The face of the final subdivision will clearly identify all private streets, and which lots will be served by those private streets. The face of the final subdivision will also specify that the maintenance of all private streets is the sole responsibility of the property owners who are served by those private streets.
6. Direct vehicular access to and from lots having frontage along 100th Avenue South is prohibited, and the face of the final subdivision will carry the following restriction:

DIRECT VEHICULAR ACCESS TO AND FROM LOTS HAVING FRONTAGE ALONG 100th AVENUE SOUTHEAST IS PROHIBITED. ACCESS FOR THESE LOTS IS RESTRICTED TO THE PROPOSED ROAD A AND/OR PRIVATE TRACT ROADS, INTERIOR TO THE SUBDIVISION.
7. The Owner / Subdivider shall deed all public rights-of-way, and otherwise convey all private and public easements necessary for the construction and maintenance of the required improvements for this subdivision development. All legal documents must be executed on City of Kent forms and must include an electronic CAD disk based on state plane format.

8. After construction, the critical areas and their associated buffer areas shall be isolated from intrusion by installing a split-rail cedar fence around the entire buffer edge. In addition, sensitive area information signs shall be placed at the buffer edge to inform and educate owners and nearby residents about the value of sensitive areas. The applicant will be required to restore grades and landscaping in sensitive areas disturbed by construction of the revised pond and outfall pipe.
9. The Owner / Subdivider shall permanently protect the approved and preserved, and/or enhanced, or created critical area(s) (wetlands, streams and hazardous area slopes) and the associated buffer(s) by creating a separate Sensitive Area Tract and deeding the tract in fee simple to the Homeowners Association, pursuant to Kent City Code Chapter 11.06. This Sensitive Area Tract or Easement shall be consistent with the wetland and/or stream map contained within the approved Critical Areas Report and/or approved Critical Areas Mitigation Plan, or the approved Geotechnical Report as appropriate. The Sensitive Area Tract and the following language shall be included on the face of the recorded plat:

SENSITIVE AREA TRACTS / EASEMENTS

DEDICATION OF A SENSITIVE AREA TRACT / EASEMENT CONVEYS TO THE PUBLIC A BENEFICIAL INTEREST IN THE LAND WITHIN THE TRACT. THIS INTEREST INCLUDES THE PRESERVATION OF NATIVE VEGETATION FOR ALL PURPOSES THAT BENEFIT THE PUBLIC HEALTH, SAFETY AND WELFARE, INCLUDING CONTROL OF SURFACE WATER AND EROSION, MAINTENANCE OF SLOPE STABILITY, VISUAL AND AURAL BUFFERING, AND PROTECTION OF WATER QUALITY, PLANT ECOLOGY AND WILDLIFE HABITAT. THE SENSITIVE AREA TRACT / EASEMENT IMPOSES UPON ALL PRESENT AND FUTURE OWNERS AND OCCUPIERS OF THE LAND SUBJECT TO THE TRACT / EASEMENT THE OBLIGATION, ENFORCEABLE ON BEHALF OF THE PUBLIC BY THE CITY OF KENT, TO LEAVE UNDISTURBED ALL TREES AND OTHER VEGETATION WITHIN THE TRACT. THE VEGETATION WITHIN THE TRACT MAY NOT BE CUT, PRUNED, COVERED BY FILL, REMOVED OR DAMAGED WITHOUT APPROVAL IN WRITING FROM THE CITY OF KENT.

THE COMMON BOUNDARY BETWEEN THE TRACT / EASEMENT AND THE AREA OF DEVELOPMENT ACTIVITY MUST BE MARKED OR OTHERWISE FLAGGED TO THE SATISFACTION OF THE CITY OF KENT PRIOR TO ANY CLEARING, GRADING, BUILDING CONSTRUCTION OR OTHER DEVELOPMENT ACTIVITY. THE

REQUIRED MARKING OR FLAGGING SHALL REMAIN IN PLACE UNTIL ALL DEVELOPMENT ACTIVITIES IN THE VICINITY OF THE SENSITIVE AREA TRACT ARE COMPLETED.

NO BUILDING FOUNDATIONS, STRUCTURES, FILL OR OBSTRUCTIONS (INCLUDING, BUT NOT LIMITED TO OUTBUILDINGS AND OVERHANGS) ARE ALLOWED WITHIN 15 FEET OF THE SENSITIVE AREA TRACT / EASEMENT BOUNDARY, UNLESS OTHERWISE APPROVED BY THE CITY.

10. The Owner / Subdivider shall submit a Stormwater Pollution Prevention Plan (SWPPP) to the City of Kent prior to issuance of Civil Construction or clearing and grading approval. The SWPPP shall meet all the requirements of the Department of Ecology National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit (CSWGP).
11. The Owner / Subdivider shall submit a copy of the NPDES permit coverage letter from DOE issuing a permit number and coverage under the Construction Stormwater General Permit. The letter shall be submitted to the City of Kent prior to issuance of civil construction or clearing and grading permits. The construction site shall meet all the requirements of the Department of Ecology National Pollutant Discharge Elimination System Construction Stormwater General Permit (CSWGP).
12. The applicant/owner shall install mailbox clusters at locations and per standards approved by Development Engineering and the U.S. Postmaster.
13. The Owner / Subdivider shall submit a recreation space plan for proposed Tract D, meeting the requirements of KCC 12.04.060.
14. The Owner / Subdivider shall submit landscape plans for Tracts A and E. Tract A shall meet the requirements of KCC 15.07.050 for Type II landscaping.
14. The applicant/owner shall obtain the necessary permits to either remove or relocate the existing structures in accordance with Kent City Code.
15. Prior to release of any construction bonds, and prior to the approval of any Building Permits within the subject subdivision, the Department of Public Works must receive and approve As-Built Drawings meeting the requirements of the City of Kent Construction Standards.

- B. Prior to the issuance of a Building Permit on any lot in this subdivision, the owner / subdivider shall:
1. Record the subdivision.
 2. Construct all of the improvements required in Section A, above, and pay the respective fees-in-lieu-of including any mitigation (EMA or EMF) charges.
 3. Receive approval of the required As-Built Drawings for Street, Street Lighting, Water, Sewer, and Stormwater Management Facilities as deemed appropriate by the Department of Public Works.
 4. Implement and construct all critical area mitigation plans/measures.
 5. Pay all transportation impact fees, school impact fees, Storm Water Utility connection fees, and any other mitigation fees applicable by code associated with the subject property.

KENT PLANNING SERVICES

August 20, 2014

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